

# BASIC ORDERING AGREEMENT BWTWEEN

BWXT Y-12, L.L.C.

AND

UNITED RENTALS

## BASIC ORDERING AGREEMENT

AGREEMENT NO. BOA-2007-0516

This Basic Ordering Agreement (BOA) between United Rentals (hereinafter "Seller") and BWXT Y-12, L.L.C. is entered into to provide construction equipment rental and supplies to DOE/NNSA Contractors and authorized subcontractors in accordance with the following:

1. This Agreement includes products listed in **GSA Contract No. GS-06F-0068R (Expires August 1, 2015)**
2. This Agreement is for the Department of Energy and National Nuclear Security Administration contractors named in Attachment A and authorized subcontractors. This Agreement may also be used by other DOE/NNSA Price Contractors (collectively herein after called "Contractor").
3. The pricing is in accordance with **GSA Contract No. GS-06F-0068R, which includes a discount up to 16 percent off GSA Pricing.**
4. General Terms and Conditions (1/2006) are included in Attachment B, and made a part herein.

The parties agree that Contractors may place orders under this BOA and receive the appropriate discounted price. Each DOE/NNSA Contractor shall place its own Orders under this Agreement and shall be direct-billed accordingly.

### ARTICLE 1 – SCOPE OF WORK

All Orders placed hereunder shall reference the number of this BOA (**Agreement No. BOA-2007-0516**) and Order Release No. (insert release no.) as required. The term of this BOA is five years from the effective date of this BOA. **Effective term of Agreement: July 1, 2007 through June 30, 2012.**

The Seller agrees to furnish such quantities of products or services described herein as Contractor may order during the term of this Agreement. *The Seller's obligation to each Contractor shall become effective upon acceptance of particular orders issued under this Agreement.*

### ARTICLE 2 – DELIVER/PAYMENT

The work specified in Article 1 shall be completed and delivered as follows:

- F.O.B. Point – Origin
- Payment Terms: Prompt payment discount or Net 30 days from receipt of a proper invoice
- Delivery location and schedule shall be negotiated for each order under this BOA.

### ARTICLE 3 – PRICING

The Contractor shall be entitled to purchase goods and services listed in GSA Contract No. GS-06F-0068R at a discounted rate up to 16 percent. The prices identified in GSA Contract No. GS-06F-0068R, which expires August 1, 2015, shall stay consistent with the GSA schedule and are firm for the effective period of this Agreement, described in Article 1, Scope of Work, unless the Contractor is otherwise notified. The Seller reserves the right to change any price provided that written or electronic notification is provided to the Contractor 30 days in advance of such change.

#### ARTICLE 4 – ADMINISTRATIVE

BOA Procurement administrator's Address is as follows:

D. A. Mullins  
BWXT Y-12, L.L.C.  
Post Office Box 2004  
Oak Ridge, TN 37830-6501  
856-576-1420

BOA Sellers Administrator's Address is as follows:

Dennis Nawa  
United Rentals  
225 South Fairbanks Street  
Addison IL 60101  
630-543-3636

#### ARTICLE 5 – SMALL BUSINESS RESELLER REQUIREMENTS

The Seller agrees to offer all products and services described herein to the Contractors through authorized dealers/resellers.

This includes local small/small disadvantaged, woman-owned, HUB Zone, veteran-owned and service disabled veteran-owned businesses for the Contractors. This will assist the contractors in meeting established socio-economic goals imposed by the DOE/NNSA. The Seller agrees to propose a pricing strategy that would allow authorized dealers/resellers to sell to the Contractors as the ICPT agreed upon prices.

#### ARTICLE 6 – SITE-SPECIFIC TERMS AND CONDITIONS

The Seller acknowledges that the Contractor may have requirements unique to its post, mission, and/or geographic location. Therefore, the seller agrees that the Contractor placing an order under this BOA reserves the right to incorporate its own Site-Specific Terms & Conditions relative to Environmental Safety and Health considerations as well as FAR, DEAR, or other applicable regulations and laws.

Seller's site specific pricing shall be included under GSA Contract No. GS-06F-0068R.

IN WITNESS WHEREOF, the parties hereto have executed this document as of the day and year of United Rental's signature date.

ACKNOWLEDGED AND CONFIRMED:

UNITED RENTALS	BWXT Y-12, L.L.C.
BY: <i>Dennis Nawa</i>	BY: <i>D A Mullins</i>
TITLE: <i>Government Acct. Manager</i>	TITLE: <i>Sub-contract Administrator</i>
DATE: <i>6/29/07</i>	DATE: <i>6/26/07</i>